

### **Remarks**

In view of the foregoing amendments and following remarks response to the Non-final Office Action dated April 6, 2007, respectfully requests favorable reconsideration of this application.

### **Formal Matters**

In section 1 of the Office Action, the Office objected to the disclosure, listing nine alleged inconsistencies between the specification and the drawings. All of these but two are well taken objections and Applicant has made suitable amendments to address the problems. However, in paragraph 52, line 7, "266" should not be changed to --286--. Rather, it should remain as 266, but Figure 4 needs to be corrected. The reference numeral 266 in Figure 4 (which was handwritten poorly and perhaps looks like "260" rather than "266" points to the AIRLINES button, as described in paragraph 52. Reference numeral 286 in Figure 4 refers to the AIRLINES boxes, which are not being discussed in paragraph 52.

Furthermore, in paragraph 59, line 2, contrary to the Office's assertion, the numeral "201a" is the correct number, not --206--. Particularly, reference numeral 201a refers to the flights window as mentioned in paragraph 59, whereas numeral 206 instead refers to the flights button, which is referred to in paragraph 59.

In section 2 of the Office Action, the Office objected to claims 4, 14, and 25 because of certain informalities. Applicant has herein corrected claims 4 and 14 as suggested by the Office.

With respect to claim 25, the Office suggested that the phrase "wherein the fourth" perhaps should have been "wherein the fifth". However, claim 25 is exactly as Applicant intended. Particularly, the fourth computer executable instructions is recited in claim 23 as instructions "that enable the user to graphically denote the main object in the diagram by drawing another symbol around the symbol for the main object". Claim 25 depends from claim 24 and adds that that fourth computer executable instructions comprise "instructions enabling the user to enclose the one and only one object within a circle". While claim 25 mentions the "one and only one object" referred to in the "fifth computer executable instructions" of claim 24, it is the fourth computer executable instructions of claim 23 that claim 25 modifies. Claim 25 essentially recites that the symbol that is drawn around the main object is a circle. Therefore, the fifth instructions that do not permit the user to draw another circle are not really the instructions that are being further described in claim 25. Rather, it is the fourth instructions that do permit the user to draw the circle that are being further described in claim 25.

Accordingly, Applicant respectfully requests the Office to withdraw the objection to claim 25.

### **Response to Prior Art Rejections**

The Office rejected claims 1-8, 20-29, and 35 as anticipated by the Visio 2000 Standard Edition User Guide (hereinafter Visio 2000). The Office further rejected claims 9-10, 13-15, 18-19, 30-32, and 34 as obvious over Visio 2000 in view of Hill. The Office also rejected claims 11-12 and 17 as obvious over Visio 2000 alone. Finally, the Office rejected claims 16 and 33 as obvious over Visio 2000 in view of Hill and further in view of Bowman-Amuah.

All of these rejections utilize the Visio 2000 reference as the primary reference. However, Visio 2000 is a general purpose drawing program containing no discussion of representing OOP logic. The Office is relying on the general drawing features of Visio for teaching the object oriented programming related recitations in the claims of the present application.

Particularly, there can be no rational dispute that the sections of the Visio 2000 reference upon which the Office is relying do not contain any mention of generating graphical representations of object oriented programming (OOP) programs.

For instance, the first element in claim 1 recites "providing a plurality of different symbols for use in a diagram of object oriented programming logic, each different symbol representing a different type of object in object oriented programming". In the Office Action, the Office asserts that this is found in Visio 2000 at page 13, part H. But this part of Visio 2000 merely discloses a menu or palette of different shapes. Visio 2000 does not mention what these shapes can be used to represent. As another example, the second element of claim 1 recites

an object as a main object of the logic to be represented in the diagram". The Office asserts that this is found on page 24 of Visio 2000 wherein it discloses modifying individual shapes in a group. The Examiner expressly says "Examiner is reading as modifying shape as a declaring an object as a main object in the diagram". First, as with the first element in claim 1, this portion of Visio 2000 has absolutely nothing to do with representing object-oriented programming programs. Moreover, it is not seen how modifying a shape could possibly be deemed to be the equivalent of declaring an object as a main object in the diagram.

The remaining elements of the claim are rejected similarly based on Visio 2000 wherein all of the claim elements related to graphically showing OOP programs are allegedly found in descriptions in the Visio 2000 reference of generic drawing generation programming features having nothing to do with representing OOP.

The Office has not even asserted that it would be obvious to generate diagrams of OOP programs using these drawing tools, but has instead asserted that Visio 2000 actually teaches it directly. However, there is absolutely no basis for such an assertion.

Visio 2000, at best, might disclose a program that has tools from which someone can practice the invention (extremely inefficiently, since the tools are not properly organized, set up, and labeled for use in diagramming OOP programs). However, by way of analogy, this is akin to asserting that a reference

disclosing a chisel, a hammer, and a block of marble anticipates Michelangelo's David.

Thus, referring for instance to claim 1, Visio 2000 does not disclose "(1) providing a plurality of different symbols for use in a diagram of object oriented programming logic, each different symbol representing a different type of object in object oriented programming", "(2) selecting an object as a main object of the logic to be represented in the diagram", "(3) drawing a symbol corresponding to the main object and labeling the symbol with a label descriptive of the object's features so that it is distinguishable from other symbols of the same object type", "(4) for each object assigned to or defined within the main object, drawing a symbol corresponding to that object and labeling the symbol with a label descriptive of the object's features", and "(5) drawing a line between each object drawn in step (4) and another object in the graphical representation to which it is assigned or within which it is defined".

Independent claim 22 is the only other independent claim in the application. It is a computer product claim including the recitation "first computer executable instructions that provide a graphical user interface in which a user is presented with a plurality of different symbols for use in developing a graphical representation of object oriented programming logic, each different symbol representing a different type of object in object oriented programming". This is not found in Visio 2000 for exactly the same reasons discussed above in connection with step 1 of claim 1.

Since none of the secondary references have been cited for teaching any of the claim elements missing from Visio 2000 as described above, all of the other claims distinguish over the prior art of record for at least the reasons set forth above in connection with the independent claim 1 and 22.

Nevertheless, the dependent claims add many further distinguishing features. Listing all of the additional distinguishing features introduced in the dependent claims would be an overwhelming task amounting to reproducing almost the entire claims set. However, merely by example, claim 2 adds the step of "(6) providing a plurality of additional different symbols for use in the diagram, each of the additional different symbols representing a different object oriented programming element other than an object". Visio does not discuss what the symbols represent.

Claim 3 adds "(7) graphically denoting the main object in the diagram by drawing another symbol around the symbol for the main object". The Office's position essentially is that, because Visio provides the tools whereby someone can draw a circle around another symbol, it discloses this feature. However, as described above, simply drawing a circle around a symbol does not meet this claim. The claims recite a technique for representing object oriented programming logic graphically.

In summary, even assuming *arguendo* that someone could practice the present invention using Visio, the reference is nevertheless largely irrelevant. The rejections as they currently stand are essentially analogous to rejecting all computer programs written in C++ as being anticipated by the C++ computer

language. Applicant has invented a new technique and computer program for representing object oriented programming logic, and the Office has rejected it based on a generic drawing program that, at best, provides the tools necessary to practice the invention. The claims are sufficiently specific to make it impossible in any reasonable fashion to read these claims on a generic drawing program.

In view of the foregoing remarks, this application is now in condition for allowance. Applicant respectfully requests the Office to issue a Notice of Allowance at the earliest possible date. The Examiner is invited to contact Applicant's undersigned counsel by telephone call in order to further the prosecution of this case in any way.

Respectfully submitted,

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264

**Rio De Janeiro to New York NYNewark**

Date: 9/10/96  
 From: Rio De Janeiro, RJ, Brazil  
 To: New York Kennedy Intl Airport  
 Time: 1344  
 Airlines: 286, 286, 286  
 Flight: 286  
 Depart: 1344  
 Arrive: 286  
 Class: 286  
 Equip: 286  
 Stop: 286  
 Duration: 286

Also See...  
 Flights Type: Direct, Connecting  
 Search, Close, Details, Return Trip, Build Cons, Add to Trip, Print...

Days	Flight	Class	Equip	Stop	Duration
Daily	AA 950	GIG	GIG	6:53a+1	JFK
Daily	UA 988	GIG	GIG	6:55a+1	JFK
TuSu	VP 880	GIG	GIG	7:00a+1	JFK
Daily	DL* 866	GIG	GIG	7:15a+1	JFK
Daily	RS 836	GIG	GIG	7:15a+1	JFK

4/8

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FIGURE 4

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